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DE RUEHRL #1695/01 3541520
ZNR UUUUU ZZH
P 191520Z DEC 08
FM AMEMBASSY BERLIN
TO RUEHC/SECSTATE WASHDC PRIORITY 2900
RUEKJCS/SECDEF WASHINGTON DC PRIORITY
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RHMFIUU/COMSOCEUR VAIHINGEN GE
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RUEKJCS/JOINT STAFF WASHINGTON DC
RUEHRL/USDAO BERLIN GE

UNCLAS SECTION 01 OF 06 BERLIN 001695

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [MOPS](#) [PREL](#) [MARR](#) [NATO](#) [EUN](#) [GM](#) [AF](#) [SU](#) [KV](#) [BK](#) [LE](#) [GG](#) [ET](#)
SUBJECT: German Out-Of-Area Deployment Update

REF: A) Berlin 1664
B) Berlin 1604
C) Berlin 1549
D) Berlin 1413
E) Berlin 1387
F) Berlin 1045
G) Berlin 0620

11. (SBU) As of December 3, Germany had 7,200 military personnel in out-of-area deployments (compared to 6,700 in July), plus 2,500 on stand-by for the NATO Response Force (NRF) and an additional 1,000 on stand-by for the EU's Battle Groups. All armed military out-of-area (OOA) deployments, with the exception of those in support of UN observer missions, require parliamentary approval. A 2005 Deployment Law regulates the parliamentary process, allowing expedited procedures only for non-controversial deployments. What follows is a brief run-down on Germany's current OOA deployments. (Note: OOA deployments are defined as deployments outside Germany's territory where the German military could become part of an armed conflict. End Note.)

The Deployment Law

12. (SBU) According to a landmark 1994 Constitutional Court decision and a subsequent 2005 Deployment Law, the Bundestag must pre-approve the deployment of any German armed forces outside of Germany. The Deployment Law does provide for urgent armed deployments to go forward without the prior approval of the Bundestag, but most German officials view this exception as applicable only in the most exigent of circumstances, e.g. when there is literally no time to obtain Bundestag approval between the outbreak of a crisis and the need to respond militarily. Even in these circumstances, the Deployment Law requires the government to seek Bundestag approval as soon as possible. If approval is not granted, the deployment must be terminated.

13. (SBU) In a decision that is likely to make it even more cumbersome for the government to deploy German armed forces overseas, the German Constitutional Court ruled May 7 that the government's decision to allow German air crews to participate in the NATO AWACS mission in Turkey in 2003, on the eve of the war in Iraq, without first seeking approval of the Bundestag, was unconstitutional. The Court dismissed the assertion of the then-Social Democratic/Green coalition government that the AWACS deployment was just a "routine," unarmed reconnaissance mission, holding that there were "tangible, factual indicators" that the German AWACS air crews could have been drawn into armed conflict. The Court reaffirmed the Bundeswehr as a "parliamentary army," underscoring that the German Basic Law (Constitution) "entrusted the

decision about peace and war to the German Bundestag as the representative body of the people." The Court emphasized that when in doubt about whether it is necessary to obtain Bundestag approval, the government should err on the side of seeking parliamentary permission. (See Ref G for further reporting and analysis on this Constitutional Court decision.)

International Security Assistance Force (ISAF)

¶4. (SBU) The Bundeswehr currently has 3,530 military personnel (approximately the same as in July) operating under ISAF in Afghanistan. These personnel are deployed under mandate approved by the Bundestag on October 17, 2008, which will run until December 2009. This means the mandate will not come up for renewal until after the scheduled parliamentary elections in September 2009 and after the new Bundestag is seated. The mandate authorizes the German government to deploy up to 4,500 military personnel, 1,000 more than the 2007 mandate. The mandate also includes language that puts the deployment of German radio operators in the southern province of Kandahar on firmer legal grounds. (For further information on the current ISAF mandate and the political debate concerning its approval, see refs D and E.)

¶5. (SBU) Germany has been active in ISAF since the operation's inception in January 2002, and was the first country to volunteer to lead an ISAF Provincial Reconstruction Team (PRT) outside of Kabul. Germany currently commands ISAF's northern region (RC-North), where it leads two of the five PRTs (Kunduz and Feyzabad) as well as the Forward Support Base in Mazar-e-Sharif. On February 23, 2008 Germany inaugurated a Provincial Advisory Team (PAT), a mini-PRT in

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Takhar province. At the November 26-27 RC-North Chiefs of Defense Conference (ref B), Germany announced that it was considerably expanding the PAT to some 45 soldiers and civilians, up from the original team of 25, comprised of only military personnel.

¶6. (SBU) The Bundeswehr has taken on, or has committed to take on, a number of additional tasks in recent months:

-- Germany took over the Regional Command-North Quick Reaction Force (QRF) company (consisting of about 200 troops) on July 1. Since then, the ISAF Combined Joint Statement of Requirements (CJSOR) has been revised to increase the QRF requirement to a battalion-size unit (about 600 troops). It appears that Germany will assume most of the responsibility for providing the additional troops, but Norway and Latvia may also contribute a company of soldiers. While the entire QRF has traditionally been based in Mazar-e-Sharif, the tentative plans are for the battalion to be deployed in a decentralized fashion, with two companies in Mazar-e-Sharif, one company in Kunduz and one in Maimana. With its take-over of the QRF, Germany for the first time has a force that can be quickly deployed around the country on short notice and that is authorized to conduct combat missions. Up to now, the Bundeswehr has been focused almost solely on stabilization and force protection missions. German officials point out that the primary mission of the QRF is to respond to emergencies in RC-North, but they also have said that Germany will come to the aid of Allies (i.e., outside RC-North) when required. Such exceptions are explicitly allowed by the ISAF mandate (see para 10 below).

-- Germany is tripling the number of troops (from 100 to 300) devoted to the training of the Afghan National Army (ANA). Besides fielding additional Operational Mentoring and Liaison Teams (OMLTs), Germany is expanding a drivers and mechanics school in Kabul into a logisticians' training center. Germany had been planning to establish an infantry training center in Mazar-e-Sharif, but since such a school will be set up in Helmand Province, the Germans have decided instead to pursue the establishment of a combat engineering school instead (see ref B for more details on German plans).

-- Germany has increased the number of military policemen devoted to the training of the Afghan National Police (ANP) in Mazar-e Sharif from 30 to 45.

¶7. (SBU) The German government supports COMISAF's request for NATO AWACS and was hoping to incorporate the authorization for the participation of German aircrews in the latest ISAF mandate. Those plans were dashed when France blocked a NATO decision giving the green light for planning the mission. Therefore, the government will have to seek a stand-alone mandate on AWACS later, if and when there is a NATO decision authorizing the mission. (For further detail on the political debate about the possible AWACS mission, see ref F.)

¶8. (SBU) Germany currently provides Operational Mentoring and Liaison Teams (OMLTs) for ANA maneuver units based in Mazar-e-Sharif and Feyzabad. It also contributes to two multinational OMLTs -- one for the HQ of the 209th Corps and the other for the HQ of the 1st Brigade of the 209th Corps. Both HQs are located in Mazar-e-Sharif. At the November 26-27 RC-North CHODs Conference, Germany agreed to transfer responsibility for the maneuver Kandak in Mazar-e-Sharif to Sweden in 2009, so that the German OMLT can be used to assume responsibility of a Combat Service Support (CSS) Kandak from the U.S.

¶9. (SBU) Germany plans to contribute five additional OMLTs as a new ANA brigade (2nd Brigade, 209th Corps) and its subordinate battalions are fielded in the north over the next year. Germany is already in the process of building garrisons for the new brigade in the north. Germany has also starting thinking about how to accommodate the possible deployment of a third brigade in Region North as part of the enlargement of the ANA to 134,000.

¶10. (SBU) The German ISAF mandate defines their area of operations as the northern region and Kabul. Nevertheless, an exception in the mandate allows for temporary, limited deployments to other parts of the country on a case-by-case basis if deemed "absolutely necessary" to the overall ISAF mission.

¶11. (SBU) In the fall of 2007 and again in May 2008, Defense Minister Jung approved the temporary deployment of a small number of Bundeswehr soldiers outside the north to provide medical and intelligence support to combat operations against insurgents in Region West. None of the German soldiers, however, were directly

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involved in combat operations. For the May 2008 operation, German members of the multinational OMLT for the 209th Corps HQ were part of a group authorized to deploy, the first time that German OMLT members were allowed to deploy outside the north (albeit for a Corps HQ and not a fighting unit). MOD has thus far not allowed German OMLTs assigned to infantry ANA battalions to deploy outside the north.

¶12. (SBU) Meanwhile, the ISAF mandate allows German Tornado reconnaissance aircraft to operate throughout Afghanistan, but restricts the resulting information from being distributed outside of ISAF channels. The information can only be passed to OEF in instances where doing so directly supports ISAF operations. Since the end of January 2008, Germany has provided an additional two C-160 Transall aircraft in Afghanistan to ISAF, for a total of eight.

¶13. (SBU) The decree issued by Afghan President Karzai in late November, temporarily transferring the Gormach District of Badghis Province in RC-West to Faryab Province in RC-North, led some German parliamentarians to express outrage at what they viewed as a unilateral move to enlarge Germany's area of responsibility. Defense Minister Jung reacted initially by suggesting that a new Bundestag mandate would be required to accommodate this change. However, it appears that the government has since decided that this will not be necessary.

¶14. (U) Germany expects to spend 688.1 million Euros on its ISAF deployment from October 2008 to December 2009.

Operation Enduring Freedom (OEF)

¶15. (SBU) The 2008 OEF mandate, approved by the Bundestag on November 14, significantly reduced the geographic area in which the Bundeswehr is allowed to operate under OEF. South and Central Asia (including Afghanistan), the Arabian peninsula and Northeast Africa were removed from the mandate, leaving just the Horn of Africa and surrounding waters. Moreover, the overall troop ceiling was cut from 1,400 to 800 and the controversial authorization to deploy up to 100 German Special Forces (KSK) was eliminated. This means that Germany's participation in OEF is now restricted solely to maritime operations. German military forces will not longer have the ability to participate in combat operations under OEF in Afghanistan. The mandate was extended for 13 months (rather than the normal 12) so that it will not come up for debate and renewal until after the September 2009 parliamentary elections and the new Bundestag is seated.

¶16. (SBU) While these changes may be symbolically important, they had no practical effect on current German contributions to OEF operations in Afghanistan or elsewhere. The Germans have reportedly not deployed the KSK under OEF since 2002-03, which was one of the arguments used by OEF skeptics to push for eliminating this part of the parliamentary mandate. In preparation for its assumption of command of OEF Task Force 150 in January, Germany has deployed one frigate (the Mecklenburg-Vorpommern) and some 510 sailors to the Horn of Africa. This constitutes a significant increase in the German presence since the fall, when Germany had only 90 under OEF. German navy ships deployed under OEF still are not authorized to conduct counter-piracy operations, beyond providing emergency help to stop the take-over of a ship by pirates. However, the parliamentary mandate for the Bundeswehr's participation in the EU "Atalanta" Operation provides the option of temporarily reassigning German OEF ships to the EU so they can carry out counter-piracy tasks.

¶17. (SBU) Despite the removal of the controversial KSK element from the OEF mandate, a notable number of Social Democratic (SPD) parliamentarians (25 out of the 222-member caucus) defied their party leadership and voted against the mandate. The upward trend in SPD opposition reflects first and foremost that the OEF brand name in Germany has been badly maligned in recent years. It also reflects the growing sentiment among left-of-center political forces that seven years after 9/11, it is time to "regularize" OEF and have it mandated through a UNSCR, rather than continuing to base it on the self-defense provisions of Article 51 of the UN Charter. (See ref C for further reporting on the passage of this year's OEF mandate.)

¶18. (U) The German government expects to spend 48 million Euros on its participation in OEF from November 2008 - December 2009.

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Kosovo Force (KFOR)

¶19. (SBU) Germany currently has 2,670 military personnel (compared to 2,240 in July) in KFOR, far below the authorized troop ceiling of 8,500 military personnel. There is a German Operational Reserve Force (ORF) battalion on stand-by in Germany to reinforce KFOR as necessary. The mandate is extended automatically each year unless there is a change to the UNSC Resolution framework for the Kosovo Force. Germany formally recognized Kosovo's independence on February 20 in a letter from President Koehler. The government made clear that it still considers UNSCR 1244 as the legal basis for KFOR, a position that all parties in the Bundestag, except the small Left Party (roughly 12% support nationally), support.

European Union Force (EUFOR) Bosnia

¶20. (SBU) Germany currently has around 120 soldiers (approximately the same as in July) in Bosnia as part of the EU's Operation "Althea." Most of the German soldiers are deployed as liaison and

observer teams. The mandate, last amended December 1, 2007, allows the deployment of up to 2,400 military personnel. This operation extends automatically unless there is a change to its underlying UNSC resolution. In 2007, Germany reduced its military presence in Bosnia by more than 700 military personnel in coordination with other allies. Germany is relying more on home-based reserve forces and less on deployed troops to provide the necessary security support for the implementation of reform measures mandated by the Dayton Peace agreement.

¶21. (SBU) While some Allies have been pressing to end the EU deployment, arguing that there are no longer any military objectives to achieve, Germany supports EUFOR remaining in place until the Office of the High Representative closes down and transitions to a EU Special Representative. German Defense Minister Jung expressed this view publicly during an October 28 visit to Bosnia.

¶22. (U) Germany expects to spend 158 million Euros per year on EUFOR Bosnia.

European Union Counter-Piracy Mission

¶23. (U) On December 19, the Bundestag approved a parliamentary mandate for the Bundeswehr's participation in the EU counter-piracy "Atalanta" operation off the Horn of Africa. The mandate authorizes the German navy to perform the full spectrum of tasks authorized under the EU Joint Decision, including the use of force to end acts of piracy and to do "opposed" boardings. The mandate also gives the German navy authority to sink pirate ships if necessary. There are no national caveats. Germany has dedicated one frigate with a 200-man crew to the operation, which will include two 10-man boarding teams consisting of highly trained German SEAL members (Kampfschwimmer).

¶24. (SBU) The mandate has a troop ceiling of 1,400 so that other German naval ships which happen to be in the region on other operations (i.e., a Standing NATO Maritime Group or OEF's Task Force 150) can be brought under the EU mission temporarily to carry out counter-piracy missions as required. While the area of operation extends up to 500 nautical miles from the Somalian coast and its neighboring states, the mandate does not authorize the pursuit of pirates on land. The mandate expires December 15, 2009. (See ref A for further information on the piracy mandate.)

¶25. (U) The government expects to spend 45 million Euros on this deployment over the next year.

United Nations Interim Force in Lebanon (UNIFIL)

¶26. (SBU) Germany gave up command of UNIFIL's naval component in March 2008, but still has 220 military personnel deployed (compared to 460 in July). The current mandate, authorizing up to 1,400 military personnel, was extended on September 17, 2008. On February 29, Germany handed over the command of UNIFIL's naval component to EUROMARFOR, a joint, non-permanent fleet including Portugal, Spain,

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France and Italy. An Italian officer assumed command.

¶27. (U) Germany expects to spend 89.6 million Euros over the next year on its UNIFIL contributions.

Sudan (UNAMID and UNMIS)

¶28. (SBU) Germany currently has 41 military observers taking part in the UN Mission in Sudan (UNMIS). These observers monitor the implementation of the Comprehensive Peace Agreement. The parliament imposed a caveat barring military observers from going to Darfur without prior consultation with the Bundestag Foreign Relations Committee's chairman and ranking members. The mandate, which was

extended for an additional year on September 17, 2008, allows for the participation of up to 75 German military observers. Germany spends approximately 1.4 million Euros per year for its support to UNMIS.

¶29. (SBU) In November 2007, the Bundestag replaced its old AMIS mandate, with a new mandate supporting the UN/AU hybrid mission in Darfur (UN Assistance Mission in Darfur, UNAMID). This mandate was extended on September 17, 2008. It authorizes the Bundeswehr to deploy transport aircraft and up to 200 troops in support of the UN/AU hybrid mission.

¶30. (U) Germany spends approximately 2 million Euros per year for its support to UNAMID.

Georgia (UNOMIG)

¶31. (SBU) Germany has been part of the UN Observer Mission in the Abkhazian region of Georgia (UNOMIG) since 1998 and currently has 12 personnel stationed there, most of whom are medical personnel and military observers. To meet a UN request for additional medical personnel, the German cabinet decided in August 2007 to raise the personnel ceiling for this mission from 13 to 20.

OSCE Mission to Georgia

¶32. (SBU) Germany has been a contributor to the OSCE's mission in the South Ossetian region of Georgia since the operation's beginning in 1992. There are currently two Bundeswehr military observers participating in the OSCE mission. They were among the 20 additional OSCE military observers rapidly deployed to the region in August 2008 following the Russian-Georgian conflict. They were intended to reinforce and support the long-standing contingent of eight OSCE military observers. The German cabinet authorized the MOD on August 28, 2008 to deploy up to a total of 15 Bundeswehr personnel under the OSCE mission, in support of OSCE plans to deploy a total of 100 additional military observers.

Other minor deployments

¶33. (SBU) One military observer serves in the United Nations Mission in Ethiopia and Eritrea (UNMEE). One German military observer is seconded to the United Nations Assistance Mission in Afghanistan (UNAMA). The Bundeswehr has seconded 41 military personnel to Strategic Medical Evacuation (STRATAIRMEDEVAC), for which no parliamentary mandate is required, since it is not an armed deployment and the stand-by aircraft are stationed in Germany.

Other force commitments

¶34. (SBU) The Bundeswehr currently has 2,500 soldiers committed for the twelfth rotation of the NATO Response Force (NRF). There are currently 1,000 Bundeswehr soldiers assigned to EU Battle Groups in the second half of 2008.

Bundeswehr transformation

¶35. (SBU) The Bundeswehr is currently undergoing a transformation

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process, the goal of which is to be able to send up to 14,000 soldiers to as many as five different theaters for stabilization missions by 2010. The Bundeswehr will be reduced from its pre-transformation level of 270,000 to a final strength of 250,000 (162,300 Army, 62,700 Air Force and 25,000 Navy). The new Bundeswehr will be composed of three different groups: 35,000 for

intervention forces, 70,000 for stabilization forces and 147,000 for support forces.

¶36. (SBU) Part of the Bundeswehr's transformation is a comprehensive rebasing program, which is also intended to be completed by 2010. Moreover, transformation includes the procurement of new equipment to fill capability gaps, mainly in the fields of strategic air lift, network centric warfare and armored vehicles. Due to limited funding (Germany spends just 1.3 percent of its GDP on defense, with few prospects of significant increases in the future) and defense industry delays (mainly EADS), the equipment side of the transformation is behind schedule.

Total Expenditure for Out-of-Area Deployments

¶37. (U) According to a German government report released in October, Germany spent 10.6 billion Euros on out-of-area deployments during the period 1992-2007.

A break-down by fiscal year, in millions of Euros:

FY 1992	39.6
FY 1993	213.8
FY 1994	83.5
FY 1995	131.1
FY 1996	285.6
FY 1997	254.8
FY 1998	182.6
FY 1999	553.9
FY 2000	1,076.1
FY 2001	1,191.8
FY 2002	1,502.1
FY 2003	1,352.8
FY 2004	1,052.3
FY 2005	884.3
FY 2006	893.8
FY 2007	910.7